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MAR 28 2008

PATENT  
Docket No. 56842US002

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Applicant(s): MITTLESTADT et al.	)	Group Art Unit:	3772
	)		
Serial No.: 09/888,943	)	Examiner:	Nihir B. Patel
Confirmation No.: 9282	)		
	)		
Filed: 25 June 2001	)		
	)		
For: RESPIRATOR VALVE	)		

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**RESPONSE**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As discussed below, Applicants request reconsideration and withdrawal of the rejections set forth in the Office Action dated 29 November 2007.

**Status of the Claims**

The pending claims are claims 27-47 and 49-71. Rejected claims 27-47 and 49-71 are the subject of this request.

**Reconsideration is requested for the following reasons:**

Applicants submit that clear errors, as discussed below, exist in the Examiner's rejection, and/or the Examiner's omission of one or more essential elements needed for a *prima facie* anticipation rejection.

Claims 28, 38, and 48-50 were rejected on the ground of non-statutory obvious-type double patenting as being unpatentable over claims 13-16 and 26 of U.S. Patent No. 6883, 518. Upon an indication of otherwise allowable subject matter and in the event this rejection is maintained, Applicants will provide an appropriate response.